

## REMARKS

A Final Rejection was mailed in the case on June 22, 2010. This Response is being submitted After Final under 37 CFR §1.116 and within the two month time period after the mailing of the Final Action so that the Examiner will have the opportunity to consider the Response and issue an advisory action. The fee for the one additional independent claim in excess of three is included. No additional fee is thought to be due at this time. If any additional fee is due for the continued prosecution of this case, please charge the same to Applicant's Deposit Account No. 50-2555 (Whitaker, Chalk, Swindle & Sawyer, LLP).

At the outset, Applicant would like to point out that, in the latest Office Action mailed on June 22, 2010, that the Examiner indicated that Claims 5-7 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant had already rewritten Claim 5 in independent form in the last Amendment filed on March 26, 2010. The reference to that claim seems to have been a mere oversight on the part of the Examiner. In the present Response, Applicant has added new Claims 11 and 12 which correspond directly to dependent Claims 6 and 7 if rewritten in independent form as suggested by the Examiner. Applicant has kept original dependent Claims 6 and 7 based upon the amendment to Claim 1 discussed below. However, Claims 5, 11 and 12 should be indicated as allowable and entered in this Amendment, since Applicant is merely complying with matters of form, as suggested by the Examiner, or placing the claims in better condition for appeal, as allowed under Rule 116.

Applicant has made one additional change in this Amendment with regard to the language of independent Claim 1, namely to cancel the phrase "or = CO<sub>3</sub>" on line 5 thereof. The Examiner had previously pointed out that Claim 1, as it previously stood, would cover calcium carbonate when X = 1 (see the Office Action of June 22, 2010, page 3, line 13). The amendment to Claim 1 insures that remaining Claims 1-4 and 6-10 now comprise a calcic compound which clearly does not cover calcium carbonate. The calcic compound is lime or magnesia, which are certainly not abrasive compounds. The present invention, according to these claims, would certainly not be rendered obvious by Hartman which deals with abrasive compositions comprising 2-25% of expanded perlite, as abrasive agent, and

optionally "conventional " abrasive mineral. Applicant respectfully requests that the Examiner enter this amendment to Claim 1 "After Final" as complying with a previous requirement of the Examiner, in order to expedite the prosecution of the application, or to place the remaining claims in better condition for appeal.

Rewritten independent Claim 5 and new Claims 11 and 12 correspond to the claims which are considered as allowable by the Examiner in the last Office Action. In these claims, the CO<sub>3</sub>- group is obviously maintained.

Claims 1-12 are now thought to be allowable over the art of record and an early notification of the same would be appreciated.

Respectfully submitted,



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